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NONCONFORMITY UNDER THE "CLARENDON CODE"

THE disintegration of Puritanism was accompanied by a rise of religious free-thinkers, the growth of the Royal Society, and a period of social unrest which made the restoration of Charles II. inevitable.¹ Negotiations with the exiled court were begun with amazingly quick results. In his Declaration from Breda Charles promised liberty to tender consciences, subject to the approval of Parliament, and agreed to use his power in securing a religious settlement. This declaration accomplished its purpose by creating false hopes and the king returned in 1660 amid unrestrained expressions of joy.² The objection of Presbyterians to Episcopacy was in matters of church polity. They thought the system would be modified to suit their tender consciences and that comprehension within the Church would follow. Therefore the Declaration from Breda meant a Presbyterian-Episcopate to this element of Dissent.³ It meant a different thing however to the other nonconforming bodies. They looked upon "liberty to tender consciences" as giving them the right to a free exercise of worship. They did not care whether the Church was strict or limited; whether the prayer-book was modified or destroyed. Therefore the plea of the "Fanatics" and that of the Presbyterians was different, though it does not seem

¹ Address of Anabaptists to the king: "We have sown the wind, and we have reaped a whirlwind; we have sown faction, and we have reaped confusion." Clarendon, *History of the Rebellion* (Oxford, 1816), III. 806. In the Declaration from Breda, Charles alluded to the confusion as, "men engaged in parties and animosities against each other". As late as 1668 they were still in bitter contentions: "In every Town almost which was capable of two Preachers, one Presbyterian and one Independent were planted . . . condemned . . . to Dispute and Preach and Strive." Kennett's *Register*, June 8, 1662.

² The king "smoothed them with some good Words, which they, afterwards, most brazenly called Promises". North, *Examen*, p. 431; Clarendon, *History of the Rebellion*, III. 991.

³ *Documents relating to the Settlement of the Church of England by the Act of Uniformity*, pp. 105-111. Sylvester, *Reliquiae Baxterianae or Mr. Richard Baxter's Narrative of the Most Memorable Passage of his Life and Times* (London, 1696), with special reference to the Declaration on Ecclesiastical Affairs, pt. II., pp. 259-264, also 230. It is essential to keep in mind this hope of the Presbyterians all through the struggle. Their ideas and expectations were always different from those of the other nonconforming bodies and it is a mistake to associate them except in a general way. This has been a persistent error which has resulted in giving to the Presbyterians a greater share of suffering than the evidence warrants.

to have come to an issue until October, 1660.⁴ The Presbyterians wanted to get into the Church upon a modified basis; the Fanatics were fighting to keep out of the Church upon any terms whatever.

The Presbyterians showed their uncompromising and bitter determination in the struggle that now began. Baxter knew that the king desired a union of the Presbyterians and the Church of England but the king told him that "this Agreement could not be expected to be compass'd by bringing one party over to the other, but by abating something on both Sides".⁵ This was refused, "and tho' desired by the King, to read so much of the Liturgy as themselves had no objection against . . . yet the Honour of their Party, and their Credit, was not to be reconciled".⁶ Knowing that the Church had passed into the hands of Parliament, and that the king desired unity, the Presbyterians felt secure, little suspecting that "the Bishops who had been formerly allowed to persecute by favor of the King in spite of the House of Commons" would have power "to persecute by favor of the House of Commons in spite of the King". The Fanatics began to realize that the Presbyterian plan was to limit Episcopacy, comprehend Presbyterians, and crush all other Dissent.

A large amount of material has been opened in Devonshire House, London, which throws much light upon this period. This consists of the Quaker records for England. Devonshire House was the centre into which written reports were sent describing the treatment of Quakers in all parts of England. These reports were transcribed into large volumes called "The Books of Sufferings" and in them we have a picture of the Friends as they lived and suffered under the Restoration.⁷ Court trials, fines, imprisonments,

⁴ The reasons for nonconformity were reducible to five. Kennett, June 9, 1662. This was clearly shown in the Savoy Conference and the subsequent action of the Fanatics upon the attitude of the Presbyterians who quibbled over allowing "others" to share the benefits of indulgence. Sylvester, *Baxter*, pt. II., pp. 259-270; H. S. Skeats, *History of the Free Churches in England* (London, 1869), p. 73. For the attitude of Fanatics see *Cal. St. P. Dom.*, 1660, September to December.

⁵ Calamy, *An Abridgement of Mr. Baxter's History of his Life and Times* (London, 1713), I. 140.

⁶ Kennett, 1662, June 29 and August 3.

⁷ The care with which the Quakers kept the records of their sufferings was due to orders handed down from Devonshire House. They had specific instructions to note everything pertaining to their sect in every part of England and were to send it to Devonshire House to be recorded. Their Yearly Meeting was also held there and at that meeting the affairs of the Friends were carefully discussed and recorded. This meeting directed that one or two Friends be at all assizes and ascertain every possible fact relative to accused Quakers with specific instructions that a report be sent to Devonshire House for record. Thus we find a most minute statement of all that happened to the Friends during this trying

deportations, conventicles, those present, raids made by officers, and all such indispensable information is given in a most minute way. In addition to these Books of Sufferings there is a large collection of Quaker tracts in bound volumes, which are carefully arranged and marked in order of importance. They describe the distraint of goods for fines, enumerate the approximate losses, injury to trade, and such things as they hoped would appeal to the authorities and bring relief. Many duplicates of these tracts are found in the British Museum and elsewhere, but in their isolated situation they have proved quite misleading as they cannot always be identified as Quaker tracts. With the Book of Sufferings as a parallel guide the field is made clear. There is also a great mass of letters and unbound manuscripts at Devonshire House the importance of which has not yet been determined. In these records we discover who those Fanatics were that crowded the jails, suffered such losses, and throughout this period defied the government under the Clarendon Code—they were the Quakers, Anabaptists, and Fifth Monarchists.⁸ The Presbyterians and Independents were secret in their movements and allowed the law to silence them in a manner unknown

period. Through Devonshire House passed all matters of printing, petitions to the king, etc. It engineered questions of finance, borrowed money, and received all collections. The Yearly Meeting was composed of six from London, three from Bristol, two from Colchester, and one or two from each county of England and Wales. On one occasion as much as £500 was sent to Poland from Devonshire House. Yearly Meetings, I. 60–95, Devonshire House, London. Cf. *Cal. St. P. Dom.*, 1663, August 24. To show the care with which they kept their records, there are the names and addresses of 3898 persecutors of the Friends at the end of the Book of Sufferings, III., Devonshire House. It is no wonder that the Quakers could spread news all over England in a week. *Cal. St. P. Dom.*, 1664, March 7. See also *A Collection of the Epistles from the Yearly Meeting of Friends in London, 1675–1805* (1806), pp. 5–20. It is evident that Joseph Besse's *Collection of the Sufferings of the People called Quakers* was largely drawn from these records. For this reason, his work is of more value than is generally thought.

The financial extremity to which the Dissenters were driven has attracted considerable attention. In the absence of documentary evidence students have concluded that it was quite severe. It is only when we get the Stock Book of the Quakers at Devonshire House, giving their receipts and disbursements, that we see how well furnished this sect was. There was no time when they were in need of money. They even conducted foreign missions in the heat of persecution, and contributed large sums to local causes which apparently did not need them. If this was true of the Quakers, what shall we think of the other sects who were never attacked with such violence as they? See Yearly Meetings, I. 87. Also the National Stock Account at Devonshire House.

⁸ Seen abundantly elsewhere. *Cal. St. P. Dom.*, 1664, March 7 and June 24. Joseph Allen said in 1662, "Amongst Christians Bellarmine . . . hath this Gradation in his Observation of Sufferers, wherein he placeth the worst first. To suffer (saith he) the Anabaptists were forwardest, the Calvinists next, and the Lutherans very slack. And if it may be no Offence to my Brethren, we may easily note, that with us the Quaker is forwardest, the Anabaptist next, the Independent and the Presbyterian last." Kennett, August 26, 1662.

among the Quakers.⁹ These Devonshire House records form the basis for the opinions expressed in this paper.

Episcopacy was fast settling itself upon its old foundations by October 25, 1660. The Presbyterians had made some advance and were hopeful—all other sects were ignored. Whatever the religious settlement would be, it was now clear that it would be arranged between the Presbyterians and the Episcopalians, and that the Fanatics would have to comply, regardless of their wishes. Charles made no attempt to disguise this in his Declaration on Ecclesiastical Affairs. Trouble from the Fanatics was inevitable for they would not yield to any kind of conformity. Between October and January they were active and, smarting under their unhappy condition, were abusive in their private and public utterances. The sects were so different in their temperaments that it is unsafe to speak of them collectively, attributing to them a united activity in one great movement. This has been the persistent error of nonconforming writers. To tell what the Fanatics were doing during this period would necessitate taking up each sect separately. The more violent type, like the Fifth Monarchy Men, later showed that they were planning insurrection. Those of a milder type, as the Anabaptists, were using the pulpit and press in scurrilous denunciation of the higher powers—it must be said to the ruin of themselves and the Presbyterians. Baxter says: "The Sectaries (especially the Anabaptists, Seekers, and Quakers) chose out the most able zealous Ministers, to make the Marks of their Reproach . . . reviling them, and raising up false Reports . . . thro' their Sins have ruin'd themselves and us . . . a few Dissenting members did all this."¹⁰ This pitiful lament of Baxter deserves no sympathy, for the folly of the Fanatics here depicted was but a reaction against the treachery of the Presbyterians in which the whole body of Dissent fell. It is noteworthy that Baxter here incidentally confesses that the way was paved for the Clarendon Code by the action of the Dissenters—that instead of the code being forced through the hatred of Clarendon, the Dissenters brought it upon themselves by their rash actions.

About the time of the Savoy Conference the controversy assumed a changed aspect. The ignored Fanatics were arrayed against

⁹ Contrast paragraphs 429 and 431, p. 436, of Sylvester's *Baxter*, pt. II., in which Baxter confesses this identical thing: "The Quakers so employed Sir R. B. and the other Searchers and Prosecutors, that they had the less leisure to look after the Meetings of Soberer men; which was much to their present ease." Again, "The Quakers kept their Meetings openly, and went to Prison for it cheerfully", p. 437. *Cal. St. P. Dom.*, 1664, no. 56, p. 143. According to Potter, the Presbyterians "admit none to their meetings but by ticket, and sometimes exclude their daughters and wives".

¹⁰ Calamy, *Baxter*, I. 95-97.

the Presbyterians and Episcopalians.¹¹ Ralph says, "They even conspired to further the Bill for Uniformity by which the Presbyterians would suffer more than themselves." How true this is we may never know for the literature of the period is more concerned with "broken promises of the King" than with Presbyterian intrigue. Toleration was the thought uppermost in the minds of the Fanatics. But the dispute over toleration and comprehension was settled by the return of the Cavaliers in 1661, guaranteeing the misfortune of Presbyterians and Fanatics.¹² The Presbyterians were soon brought to suffer with the same people whom they could have befriended, and suffered at the hands of those whose favor they had courted.

It is the accepted view that Lord Clarendon used these young Cavaliers to secure the four enactments that carry his name: the Corporation Act, 1661; the Act of Uniformity, 1662; the Conventicle Act, 1664; the Five Mile Act, 1665. These acts were supposed to crush Dissent and establish the Church of England, which was the ultimate result. But to regard them as part of an arbitrary plan is more than the evidence seems to warrant. Economic and political conditions evidently influenced this drastic legislation.¹³

When the Fanatics realized that their hopes for toleration were being lost through the efforts of the Presbyterians for comprehension, certain of the more violent ones rushed out of a meeting-house on Coleman Street in London and terrified the city for three days. A proclamation was immediately issued against all such private meetings and the Corporation Act followed, which prevented Fanatics from holding public office.¹⁴ The proclamation and the

¹¹ Sylvester, *Baxter*, pt. II., pp. 370-380.

¹² A most interesting and minute picture of these young Cavaliers is given in C. B. R. Kent, *The Early History of the Tories* (London, 1908). This study of the Tories is necessarily bound up with a study of nonconformity and is a most interesting piece of work.

¹³ Kent, pp. 148 ff. Also Tracts, vol. "C", no. 187, and Select Tracts, vol. 57, Devonshire House. Also Book of Sufferings under date, all of which show that the laws passed against the Fanatics were measures of protection to the state. The state demanded certain visible expressions of loyalty which the Quakers, Fifth Monarchists, and other extremists would not give upon religious grounds, therefore in attempting to force loyalty, persecution followed. The Book of Sufferings makes this clear on almost any page by showing that the disloyalty of which they were accused was the very thing of which they were innocent and at no time does it appear that they thought the state was otherwise concerned. It was not a question of heresy, it was a question of treason: "Sovereignty is the design, and godliness is the pretense". *Ignoramus Justices*, British Museum.

¹⁴ This riot of the Fifth Monarchists, January 6, 1661, was only a visible expression of their treasonable doctrines. It was necessary to stop such conventicles and on January 10, 1661, a proclamation to this end was issued. St. P. Dom., Various, no. 11, p. 38. While the Quakers and Anabaptists had nothing to do with this riot they were affected by the order and very justly so if we

Corporation Act, being applicable to every sect, produced widespread disorder. The Nonconformists, for the most part of the lower middle class, became implacable, charging the king with broken promises, and threatening all manner of violence. Their meeting-houses being the chief centres for these threatening speeches, were regarded as breeding places of sedition and were shut up by the Conventicle Act. The Act of Uniformity which preceded this demanded that religious worship be conducted in licensed churches and chapels under men better disposed to the government. The form of worship these people had been using also seemed a cause for their treasonable action—hence the demand for the use of that form of worship prescribed by the Church of England.

The last chapters of the Puritan rebellion had just closed when all this began. It is not probable that the Restoration government would take many chances with the very people who had caused its earlier troubles. But instead of these acts quieting the Dissenters, they became more abusive and obstinate. The fourth act shows how gravely the government looked upon the situation. It was a blow at the preachers and school-teachers who were supposed to be the ringleaders of the sedition. They were forbidden to come within five miles of an incorporated town. It is significant that the Clarendon Code extends over a period of five years and that each act grows in severity. This indicates that it was a product of the times—demanded by conditions. If it were arbitrary legislation, why did it take this course when the parties in power could have accomplished at one stroke that which, according to history, required five years?

From the Restoration to the Revolution England was a storm centre of religious protest out of which came a vast literature. The greater part of it was from the Dissenters and indicates a united think in terms of that day—they refused the oath of allegiance and supremacy and many such things, which marked them as treasonably disposed. This is only another proof that these three were the trouble-makers of that day as the authorities saw it and as we shall later try to show. This proclamation against them was the most natural thing possible, and to pretend that the government was using this as an excuse to further some design, is but a step toward the common error of attempting to palliate by twentieth-century thinking that which to the people of the seventeenth century was inexpressibly horrible. The government was getting ready to handle these three sects and other extremists as early as January 2, 1661, as an order of the king in Council shows. See Kennett under that date, p. 352. They had been gathering from various cities, "meeting at unusual hours and in great numbers", and many things indicated an alarming situation. See *Cal. St. P. Dom.*, 1660, November 4, 13, 21, 24, December 11, 13, 15, 18, 19, 20, 24, 29, and 1661, January 2. Also Kennett, December 15, 1660. The Quakers, Fifth Monarchists, and Anabaptists were the great sufferers by this proclamation. See Besse, I. 43, 307-310; also Bate, *The Declaration of Indulgence*, 1672, p. 17.

protest against cruelty and injustice. For the most part it consists of tracts and diaries, though Baxter, Fox, Calamy, and others have left extended works. It is from the tracts, in part, that students have received the impression that there was universal suffering. The important question therefore is, who wrote these tracts? Careful investigation shows that by far the greater number were written by the Quakers and other extremists.¹⁵ If this argues anything, it shows who suffered most, and their contents significantly sustain the opinion. If the question be asked why the Quakers, Anabaptists, and Fifth Monarchists suffered most, the answer is found in the fact that the last two were practically anarchists and that the Quakers, because they refused to take an oath, were looked upon as highly dangerous. They were even regarded as a secret society of the Catholics, and upon the Great Rolls of the Pipe they were counted among the Recusants.¹⁶

But this does not fully meet the condition. The State Papers, and in fact the entire literature, leave the impression that the Clarendon Code fell with equal weight upon all. Despite the many things that make this view unsatisfactory, little investigation has been made into it. It is not that students openly affirm a universal suffering but they practically reach this position in their conclusions. No one will deny that the Presbyterians and Independents suffered, and that they represented the largest and strongest element of Dissent, but there is no proof that they were the victims about whom we read so much. Undoubtedly there was great suffering among the Presbyterians by the loss of livings in 1662, and the Five Mile Act probably added hardship in 1665.¹⁷ The Independents suffered also but their distress was chiefly through the loss of money in church and crown lands. We would not minimize the suffering of these two but the evidence does not seem to show that they were the ones who were rushed into court in great droves, who crowded the jails, who were raided in their meeting-houses and were sold out of house and home to pay fines for violating acts of the Clarendon Code.¹⁸

¹⁵ This is especially true of those tracts depicting actual suffering. See Smith's two volumes in which he has collected the tracts for and against the Quakers. Most of the tracts not written by Fanatics are doctrinal, sermonic, etc.

¹⁶ St. P. Dom., Various, 1660-1665, no. 11, p. 62. Also Add. MSS. 20739, Brit. Museum, and Bate, p. 3.

¹⁷ Sylvester, *Baxter*, pt. II., pp. 432; Pepys, *Diary* (ed. Bohn, 1875), August 21, 1665; *Cal. St. P. Dom.*, 1662, p. 452.

¹⁸ Men like Samuel Parker, brought up among the Sectaries, are very deceiving in their later writings against Dissenters in this matter. For example in his *Ecclesiastical Policy* all nonconformists are judged according to the erratic follies of those "among whom he was bred". Parker is widely quoted and often misunderstood, and it is from just such contemporary writers that students get a

There seems to have been a definite use for the word "Fanatic" in the literature. Not that it was used of any one sect, but in a broad sense it covered all Dissenters except Presbyterians. The expressions "Anabaptist fanatic", and "Fanatic Fifth Monarchy Men" are common, but rarely, if ever, do we read of Presbyterians as "Fanatics".¹⁹ This is significant, for those who gave the authorities so much trouble, and against whom the government was so active, were persistently spoken of as "Fanatics". There is a logical basis for this, for in 1660 the Dissenters were divided into two parts, the Presbyterians forming one part, while all other Dissenters formed the other part. This was clearly seen by October 25, 1660, when the Presbyterians and the Church of England were arrayed against all others in the struggle over comprehension. The Presbyterians were usually called by their own name, though sometimes they were spoken of as "Schismatics", as in the "Presbyterians and other schismatics".²⁰ It is not safe to press the terms "Fanatic" or "Schismatic" too far but in a general way the former was used of the violent and persistent offenders, while the latter was used of the more moderate sects. The numerous cases where the terms "Schismatic" and "Fanatic" shade into one another make it difficult to draw clear lines of distinction.²¹

false view of the character of Dissenters and the extent of their suffering. See Sylvester, *Baxter*, pt. III., pp. 41. The same thing is true of Bugg in his *Progress from Quakerism to Christianity*. In early life Bugg was an ardent Quaker, later he was one of their worst enemies.

¹⁹ Baxter explains "the true state of the Conformists and Nonconformists in England at this time". Sylvester, *Baxter*, pt. II., pp. 386, 387. His analysis is lengthy, clear, and convincing. It is in speaking of the Independents that he draws the distinction contended for in this article: "Others of them . . . addicted to Separations and Divisions . . . have opened the Door to Anabaptists first, and then to all the other Sects. These sects are numerous, some tolerable, and some intolerable and being never incorporated with the rest, are not to be reckoned with them. Many of them (the Behimists, Fifth Monarchists, Quakers and some Anabaptists) are proper Fanaticks." Also *Cal. St. P. Dom.*, 1660, November, p. 382; 1661, December 4; 1663, October 12; 1664, November 18; 1666, July 17. Also Kent, p. 152, n. 1. The word "Fanatic" is said to have come into general use after February 6, 1660, see Bate, p. 7, n. 27.

²⁰ Sometimes "Presbyterian seditious Schismatics". Sylvester, *Baxter*, pt. II., p. 432. There seems to have been a sharp distinction between the "Schismatics" and the "Sectarians": "The Sectarians (as they then called all that were for Liberty of Sects, and for separated Churches) were for the way of Indulgence." Sylvester, *Baxter*, pt. II., p. 433. Sometimes, however, the Presbyterians are called Sectaries, which is explained by note 31 below. See *Cal. St. P. Dom.*, 1661-1662, p. 209, no. 71; 1661, November 13; cf. 1661, July, p. 50.

²¹ No one word needs to be more carefully guarded as to its meaning than the word "Presbyterian". Baxter explains its specific use: "Here you may note by the way, the fashion of these Times, and the state of the Presbyterians; Any Man that was for a Spiritual serious way of Worship (though he were for moderate Episcopacy and Liturgy), and that lived according to his Profession,

This brings the study to narrower limits in that it marks the Fanatics as those about whom we read as suffering violently. Some of them, like the Quakers, were open and persistent offenders; others, like the Fifth Monarchists, were underhanded and malicious. The Anabaptists were held in grave suspicion, more, however, on account of their supposed progenitors on the Continent than from any actual uprising during the period. A few of their members confirmed this opinion by rash actions.²² The Independents and Baptists were milder than the three above mentioned. The Presbyterians, like the Independents, seem to have been unusually quiet. John Whitehouse went to the expense and trouble of publishing a pamphlet in which he chided them for letting the law silence them.²³ These distinctions may seem trivial, but they are essential to an understanding of the literature. They allow us to study the subject analytically and preserve us from false conclusions as to the extent and amount of suffering.

The social standing and general character of the Dissenters is worthy of careful consideration. A brief comparison will show that they were much inferior to the Recusants who stubbornly fought the established Church under Charles I.²⁴ There is a disposition to look upon Calamy, Baxter, Owens, and others, as fair types of Restoration nonconformity, whereas they were much superior to the average sectarian of the time. We find very few

was called commonly a Presbyterian, as formerly he was called a Puritan, unless he joynd himself to Independents, Anabaptists, or some other Sect which might afford him a more odious Name. And of the Lords, he that was for Episcopacy and the Liturgy . . . if he conformed not so far as to Subscribe or Swear to the English Diocesan Frame, and all their Impositions. I knew not of any one Lord at Court that was a Presbyterian; yet were the Earl of Manchester (a good Man) and the Earl of Anglesey, and the Lord Hollis called Presbyterians, and as such appointed to direct and help them; when I have heard them plead for moderate Episcopacy and Liturgy my self; and they would have drawn us to yield further than we did.

"And if ever any hereafter shall say, That at King Charles the Second's Restoration, the Presbyterian Cause was pleaded, and that they yielded to all that was in the King's Declaration, I leave it here on Record to the Notice of Posterity, that to the best of my knowledge the Presbyterian Cause was never spoken for, nor were they ever heard to petition for it at all." Sylvester, *Baxter*, pt. II., p. 278. Again: "When the King's Declaration was passed, we had a Meeting with the Ministers of London called Presbyterian (that is, all that were not Prelatical, nor of any other Sect)." *Ibid.*, p. 284. Also see Kent, p. 152.

²² Egerton MSS. 2542, f. 370, Brit. Museum.

²³ John Whitehouse, *A Few Words by Way of Query to Presbyterians and Independents*, Select Tracts, vol. 69, no. 199, Devonshire House. For confirmation of this see Sylvester, *Baxter*, pt. II., p. 436. After the great fire in London, Presbyterians and Independents came boldly into open conventicles, "connived at", says Baxter. *Ibid.*, pt. III., pp. 19, 22.

²⁴ *Middlesex County Records*, III. 267, 342. Also many places in the Book of Sufferings, as under Bristol, 28 of 6 month, 1683.

"persons of quality", and the number of those who were comfortably furnished may be easily overestimated. But there were prominent merchants and employers numbered among the Dissenters. It seems there were wealthy serge-makers in Plymouth and prominent woolen-workers in Suffolk who employed great numbers who were themselves Dissenters.²⁵ In speaking generally George Fox said, "many tradesmen, and seamen, merchants, and husbandmen, their callings and families have been neglected and wasted".²⁶ In like manner Chr. Bernard, deputy remembrancer of the Exchequer, drew up "at the King's special command" in 1672 a list of the convictions turned into the Exchequer "with their respective qualities and places of abode" and observes: "None of the nobility are here mentioned" except one who later conformed. "Very few of the considerable gentry of England, it being rare through all this book to meet with the addition of Knight or Sir. In those Counties where I have been able to make inquiry as in Yorkshire, the persons are unknown, or so poor they are scarce worth the penalty of one twentieth. In Suffolk there are persons of quality but such as either in person or their fathers did eminently serve the King."²⁷ In a tract supposed to have been written by Lord Clarendon it is said, "Now upon a just conclusion 'twill appear that the sea-faring man, and the trading part of the nation does in great measure consist of nonconformists and that much of the wealth and stock of the nation is lodged in their hands."²⁸ This statement is confirmed in an order handed down by the justices of the peace at Hicks Hall wherein mention is made of the Tower Hamlets and the nonconformists in those nineteen parishes, "The people for the most part consist of weavers and other manufacturers and of sea-men, watermen, and such as relate to shipping and sea service."²⁹

While the movement itself seems to have drawn its support from the humbler classes, the leaders were frequently people of prominence. We do not here allude to men like Fox, Baxter, or Owens, who had long before distinguished themselves, but a group of leaders less well known though they were people of standing and

²⁵ Tracts, vol. "C", no. 206, Devonshire House. Also Book of Sufferings under Bristol, 8 of 11 month, 1681.

²⁶ *Somers Tracts*, VIII. 254. "For the King and both Houses of Parl."

²⁷ Add. MSS. 20739, Brit. Museum.

²⁸ *Second Thoughts*, supposed to have been written by "Edward Hyde First Earl of Clarendon". Brit. Museum.

²⁹ Law Tracts, Trials, etc., September 6, 1684. This was especially true of the Walloons who settled around Canterbury. They hold a more important place in the study of this subject than might at first be thought. See *Cal. St. P. Dom.*, 1661, August 2, October 12, 18, and 21; 1662, September 3, November 3 and 14, and March 20. The society dealing with Huguenot history discusses the Walloons fully.

particularly active at the time. Among others was Mary Pennington who was the daughter of an ex-mayor of London and very wealthy at the time she espoused the Quaker cause. There were also men like Sir Anthony Ermyne who kept a nonconformist chaplain and held services Sunday and Friday afternoons "where there do resort divers great persons".³⁰ The story of Margaret Fell belongs to this period, and many like her might be mentioned among the patient, suffering Friends. From the letter of a spy we find that "Sir John Knight and another member of the House of Commons, were at a meeting of Strange and Vernon" and expressed dissatisfaction with the present proceeding in Parliament and "that they would adhere to the good old cause".

Among the leaders therefore we find people of excellent parts, men of quality, intellect, and money. But there is nothing to show that any considerable part of the gentry of England espoused the cause or were in sympathy with it. It found its recruits in the lower ranks.

It is thought that these Dissenters were riotous and persistently plotting against the government. The literature does speak of "riotous meetings" and persistent "plottings", but we must think in qualified terms of these riotings and plottings. The Conventicle Proclamation, January 10, 1661, says, "No meetings shall hereafter be permitted unless it be in parochial churches or chapel, or in private houses of private people there inhabiting. All other meetings are unlawful and the persons there assembled shall be proceeded against as riotously assembled." Therefore all quiet meetings for prayer, other than as above described, "were notorious contempts of us and our laws" and were "riotous assemblies".³¹ Hence we cannot tell how prevalent "rioting" was, as we use the term, but many of the supposed "riots" can be shown to be nothing but what we should call cottage prayer-meetings.³²

In like manner, to the casual reader, the literature seems to show that "plotting" was the daily occupation of the Dissenter. But as in the matter of "riotous assemblies", so in this, we must take

³⁰ *Cal. St. P. Dom.*, 1666, May 2, no. 7.

³¹ Proclamations, *St. P. Dom.*, Various, no. 12. They were sent to prison as "rioters" for many strange reasons. A girl was imprisoned as a "rioter" for defending her honor against the actions "of certain rude boys". *Book of Sufferings*, under Bristol, 1681. See Besse, vol. I., ch. 4, p. 63.

³² An incident in the life of Baxter is interesting: "It was famed at London that I was in the North, in the Head of a Rebellion. And at Kidderminster I was accused, because there was a Meeting of many Ministers at my House . . . to dine with me." Sylvester, *Baxter*, pt. II., p. 377. Again, "and every Meeting for Prayer was called a dangerous Meeting for Sedition". *Ibid.*, p. 431.

cognizance of their mode of thought.³³ Conventicles were looked upon as breeding places of sedition. Clarendon wrote to the justices of the peace in Suffolk, "Meetings and conventicles have as their chief end, the confirmation of each in his malace against the Government and in taking of collections to support those who are listed to appear in any desperate undertaking." Therefore the act of meeting seems to have been a kind of plotting.³⁴ The very fact that these meetings were often held "in secret places and at unlawful times" created a bad impression.³⁵ "Soverignty is the design, and godliness is the pretence", said Sir William Smith before the grand jury at Hicks Hall. The conventicle on Coleman Street in London had justly confirmed this opinion.

While much of the plotting reached the authorities through spies a great deal came through intercepted letters that indicated some "desperate design" for a future date. It was not infrequent for postmasters to receive an order which allowed a marshal to search all mail for plots "by certain disaffected persons". In his search he might open a letter announcing some large meeting by the Quakers. The form such a letter would assume has been left us by Bugg:

Dear Friend:

By this thou may'st know, that God willing, Jonathan Johnson and I do intend to be at Milden-Hall Meeting the next First-Day, and shall be glad Friends generally may know thereof, that we may have a good large meeting; I mean, Friends that are afar off in the Country.

R. S.³⁶

Such a letter in the hands of a marshal would easily create suspicion, and it is not improbable that he would put his own inter-

³³ Stoughton says, "A few fanatics entertained rebellious designs; but that Presbyterians, Independents, Baptists, or Quakers, either generally or in large numbers, were covering political plots under a veil of religious worship—the point sought to be established—is unfounded surmise, indeed a pure invention." *Ecclesiastical History of England*, I. 210–211, also, pp. 292–295. See note 37 below.

³⁴ People dared not even help the ejected ministers lest it should be said they "were taking collections for some plot or insurrection". Sylvester, *Baxter*, pt. II., pp. 385, 386.

³⁵ See also *Cal. St. P. Dom.*, 1662, November 6.

³⁶ F. Bugg, *Pilgrim's Progress, from Quakerism to Christianity*, p. 91. "In that age of sham plots the fabrication of letters was common, of which Captain Yarrington published an exposure in 1681." Stoughton, *Ecclesiastical History*, I. 212, n. 1. Stoughton cites several cases in which stories of "terrible plots" were put into letters when indeed no plot was contemplated. See vol. II., appendix 1. The so-called "Grand Presbyterian Plot" for which so many were imprisoned, and about which much even to-day is written, can be shown to have had its origin in sham letters. Sylvester, *Baxter*, pt. II., p. 383. See the two articles by W. C. Abbott, "Conspiracy and Dissent", in vol. XIV. of the AMERICAN HISTORICAL REVIEW.

pretation upon it since the informer was liberally rewarded.³⁷ In any event he would have the information of an unlawful meeting to which even the people from the country were coming. When these people were taken into custody in this "riotous assembly" they would be held as "plotters" under "pretense of religion". This is exactly what happened to Thomas Ellwood when he wrote to his friend Thomas Loe that he had secured a meeting place near by and asked if he could come. The letter was intercepted and carried to Lord Falkland. Ellwood and a number of Quakers were seized as "plotters" and hurried off to prison.³⁸

We do not doubt that individuals and even congregations were at times led to extreme action—especially the Fifth Monarchists—but we do not think this was true of the Dissenters as a whole. It is recorded by their enemies that they were unusually peaceable.³⁹ Brownley wrote Viscount Conway, "I confess I wonder at the spirit of the Nonconformists. Their ministers preach patience and against forcible resistance." While we do not feel that the Dissenters were a riotous, plotting people, it is very important to see what opinion the authorities held about them in that day. To them, the Dissenters were a dangerous people against whom strict laws should be passed and this explains why the Clarendon Code was so rigorously executed. But it is well to use care in estimating the severity of the persecution as there is reason to believe it has been greatly overdrawn in many cases.⁴⁰ The laws governing the release of prisoners and the peculiar religious beliefs of some sects are two things that have proven deceptive in analyzing this question.⁴¹

³⁷ Egerton MSS. 2543.

³⁸ *Life of Thomas Ellwood* (Autobiography series, London, 1827), p. 59. Much the same thing in another form is cited in Stoughton, I. 313. See *Cal. St. P. Dom.*, 1663, December. Spies were quick in drawing conclusions from things overheard secretly. *Cal. St. P. Dom.*, 1665, August 15.

³⁹ *Ignoramus Justices*, Brit. Museum. *St. P. Dom.*, vol. 99, n. 9.

⁴⁰ Ellwood shows the Quaker prisoners were well provided for by committees appointed to visit the prisons and take them food. They were allowed many privileges while in prison which were not commonly given. *Life*, pp. 77, 109, 113. He even says that a tramp pretended that he was a Quaker that he might be imprisoned with them. Further, the *Report of the Commission on Non-Parochial Registers* (1836) shows that up to 1688 the Presbyterians, Baptists, and Independents founded 152 churches. Of this number 109 were founded between 1660 and 1668. This is strange if the persecution was as severe as is often asserted. Of these 109 churches, 72 were Independents, 17 were Presbyterians, and 20 were Baptists. To this may be added the frequent kindness of jailors and the lax enforcement of law by the justices. *Cal. St. P. Dom.*, 1664, January 28, October 24; 1665, March 19.

⁴¹ "A table of such fees as are allowed by His Majesties Justices of the Peace" shows how expensive prison life was. See *Book of Sufferings*, IV. 274, foot-note. Also, *ibid.*, p. 301, wherein it cost one man £4 4 s. Also Drake, *History of the City of York*, "Table of fees passed by the Mayor July 1672". "The

We cannot therefore accept the view that Clarendon instituted a religious persecution against Dissent. The Clarendon Code was designed to suppress sedition, but as a rule it was a hardship only to those who openly defied it. Such sects as the Quakers, Anabaptists, and Fifth Monarchists were notorious in this respect and consequently were called "Fanatics". The suffering of the Presbyterians and Independents was not comparable to that of the Fanatics who were fined, imprisoned, deported, and otherwise severely punished. We feel therefore that much has been written about the extreme suffering of the Presbyterians and Independents which did not exist. To attribute to them an equal share in the suffering of the Fanatics would demand that the word Fanatic be applied to them. This is more than the evidence warrants. It is only fair to say that, with the exception of the Fifth Monarchists, the Fanatics were not a riotous, plotting people, but were quite the opposite. However it is important for us to see that they were thought to be a most dangerous people and for this reason the acts of the Clarendon Code were actively enforced against them. Since the number of Fanatics was comparatively small, it follows that the extent of violent suffering under the Clarendon Code was not as great as is generally thought. It is also clear from the Devonshire House records that the amount of suffering even among the Quakers has been greatly overestimated.

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during and tedious imprisonments are chiefly upon the writs De Excom. Cap, upon judgments of Praemunire and upon fines said to be for the King . . . the spoils and excessive distresses are chiefly upon the Conventicle Act; 20 lbs a month; $\frac{2}{3}$ of estates and Qui Tam writs." Tracts, vol "C", no. 206. In their commitment, they were to "remain . . . unless each of them (*i. e.*, of every batch of convicts) should pay a stated fine,—the words of the judgment touching the fine or fines being in each certificat to this effect, 'nisi quilibet eorum separatim pro seipsis predictis justiciariis solveret etc., pro fine etc.'" "A consequence of this practice was that the richer individuals in a batch of offenders used sometimes to pay the fine of those of their companions in trouble, who were not themselves able or willing to escape detention by a sacrifice of money." *Middlesex County Records*, III. 348. It must also be remembered that Quakers would not pay a fine and this explains why many of them lay in prison many years. Students are frequently hasty in drawing conclusions from the "enlargement of prisoners" so often mentioned. Frequently the condition of freedom was that "they had not refused the oath of Allegiance and Supremacy"—very few of the extreme Fanatics would take this oath, hence the number of those set free might be easily overestimated. Also see Sylvester, *Baxter*, pt. III., p. 60.